

DOCKET NO.: SAMS01-00185
Customer No. 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : SUDHINDRA P. HERLE, ET AL.
Serial No. : 10/035,800
Filed : December 28, 2001
For : SYSTEM AND METHOD FOR ENSURING INTEGRITY OF DATA-
DRIVEN USER INTERFACE OF A WIRELESS MOBILE STATION
Group No. : 2173
Examiner : (Not yet assigned)

Assistant Commissioner for Patents, USPTO
Attn: Office of Petitions
Crystal Plaza Four, Suite CP4-3C23
2201 South Clark Place
Arlington, VA 22202

Sir:

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

The undersigned hereby certifies that the following documents:

1. Postcard receipt;
2. Request for Withdrawal of Holding of Abandonment;
3. Statement of Kathy Hamilton;
4. Statement of Laura Zavala;
5. Copy of the User Detail Report; and,
6. Copies of the Renewed Petition Under 37 C.F.R. §1.47(a) and related documents submitted on October 17, 2002

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to: Assistant Commissioner for Patents, USPTO, Attn: Office of Petitions, Crystal Plaza Four, Suite CP4-3C23, 2201 South Clark Place, Arlington, VA 22202, on April 24, 2003.

Date: 4/24/03

Date: 24 April 2003

Docket Clerk
P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: jmockler@davismunck.com

Laura Zavala
Mailer
John T. Mockler
John T. Mockler
Reg. No. 39,775

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Assistant Commissioner for Patents, USPTO
Attn: Office of Petitions
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Arlington, VA 22202

Sirs:

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

In response to the Notice of Abandonment mailed March 31, 2003, the Applicants respectfully request withdrawal of the holding of abandonment. The Notice states that the application is deemed abandoned in view of the Applicants' failure to timely file a proper reply to the Decision Dismissing Petition letter mailed on August 6, 2002. In fact, on October 17, 2002, the Applicants did timely file a reply to the Decision Dismissing Petition.

On April 9, 2002, the Applicants filed an original Petition Pursuant to 37 C.F.R. §1.47(a)

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seeking to allow Applicant Herle to make the application on behalf of himself and the non-signing inventor, Mr. Mitchell. On August 6, 2002, the Office of Petitions mailed a Decision Dismissing the Petition due a technical defect in the original Petition. On October 17, 2002, the Applicants responded to the Decision Dismissing the Petition by filing a Renewed Petition Under 37 C.F.R. §1.47(a). Apparently, the Patent Office never received the Renewed Petition. As a result, the Patent Office mailed the Notice of Abandonment on March 31, 2003.

In support of this Request for Withdrawal of Holding of Abandonment, the Applicants attach the following:

- 1) Statement of Kathy Hamilton;
- 2) Statement of Laura Zavala;
- 3) User Detail Report;
- 4) Copy of the Renewed Petition Under 37 C.F.R. §1.47(a) (including copies of supporting papers filed with the Renewed Petition Under 37 C.F.R. §1.47(a)).

In the Statement of Kathy Hamilton, Ms. Hamilton attests on the basis of personal knowledge to the timely mailing on October 17, 2002 of the Renewed Petition Under 37 C.F.R. §1.47(a), along with supporting papers.

In the Statement of Laura Zavala, Ms. Zavala attests on the basis of personal knowledge to making copies of the Renewed Petition Under 37 C.F.R. §1.47(a) and the supporting papers and adding postage to the envelope in which the Renewed Petition Under 37 C.F.R. §1.47(a) and the

supporting papers were mailed. The User Detail Report is a listing of photocopy charges and postage charges tracked by the electronic billing system software used by the undersigned Applicants' attorney.

In view of the foregoing, the Applicants respectfully request withdrawal of the holding of abandonment.

It is believed that no fee is due in relation to this Request for Withdrawal of Holding of Abandonment. However, in the event that an additional fee is due, the Commissioner is hereby authorized to charge any such additional fee connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

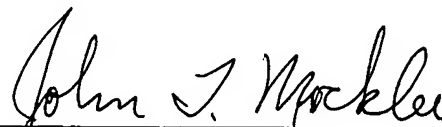
Respectfully submitted,

DAVIS MUNCK, P.C.

Date:

24 April 2003

Docket Clerk
P.O. Drawer 800889
Dallas, Texas 75380
Phone: (972) 628-3600
Fax: (972) 628-3616
E-mail: jmockler@davismunck.com



John T. Mockler
Registration No. 39,775

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Examiner : (Not Yet Assigned)

Assistant Commissioner for Patents, USPTO
Attn: Office of Petitions
Crystal Plaza Four, Suite CP4-3C23
2201 South Clark Place
Arlington, VA 22202

Sir:

STATEMENT OF KATHY HAMILTON

I, Kathy Hamilton, make the following Statement:

On October 17, 2002, I personally mailed a Renewed Petition Under 37 C.F.R. §1.47(a), along with papers supporting the Renewed Petition Under 37 C.F.R. §1.47(a). The Renewed Petition Under 37 C.F.R. §1.47(a) responded to the August 6, 2002 Decision Dismissing Petition in the above-referenced patent application. I mailed the Renewed Petition Under 37 C.F.R. §1.47(a) and the support papers by placing these items in an envelope addressed to "Assistant Commissioner for

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Patents, USPTO, Attn. Office of Petitions, Crystal Plaza Four, Suite CP4-3C23, 2201 South Clark Place, Arlington, VA 22202” and then depositing the envelope with the U.S. Postal service with sufficient postage as first class mail. I attach a copy of the Renewed Petition Under 37 C.F.R. §1.47(a) and the supporting papers, including a Certificate of Mailing signed by me.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date:

April 24, 2003

Kathy Hamilton
Kathy Hamilton
Assistant to John T. Mockler

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Assistant Commissioner for Patents, USPTO
Attn: Office of Petitions
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2201 South Clark Place
Arlington, VA 22202

Sirs:

STATEMENT OF LAURA ZAVALA

I, Laura Zavala, make the following Statement:

On October 17, 2002, as part of my regular work requirements, I made multiple copies of the Renewed Petition Under 37 C.F.R. §1.47(a) and all of the supporting papers filed with the Renewed Petition Under 37 C.F.R. §1.47(a). I also applied postage to the envelope in which the Renewed Petition Under 37 C.F.R. §1.47(a) and the supporting papers were mailed. A copy of a User Detail Report detailing the photocopy and postage charges is attached to this Statement. The User Detail

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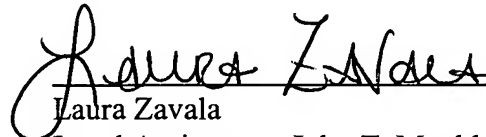
Report indicates that on October 17, 2002, thirty-two (32) photocopies were charged to Account Code SAMS01-00185, which is the Docket Number for the above-reference patent application. The User Detail Report also indicates that postage was charged to Account Code SAMS01-00185 on October 17, 2002 in the amount of \$1.29 (\$0.23 postcard fee and \$1.06 for first class postage).

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: _____

11/24/03



Laura Zavala
Legal Assistant to John T. Mockler

DAVIS MUNCK, A PROFESSIONAL CORPORATION

USER DETAIL REPORT

Date Range
 From 10/17/2002 0:00
 To 10/17/2002 23:59

Copy Transaction(s) (continued)

<u>Date</u>	<u>Time</u>	<u>Account Code</u>	<u>Unit ID</u>	<u>Description</u>	<u>Size</u>	<u>Pages</u>	<u>Net Charges</u>	<u>Status</u>
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10/17/2002	13:52	Noki02-17579	CFX02	Letter		6	1.20	Billed
10/17/2002	13:54	Noki02-17586	CFX02	Letter		6	1.20	Billed
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Transtotals for Copy:						124	24.80	

Disb Transaction(s)

<u>Date</u>	<u>Time</u>	<u>Account Code</u>	<u>Unit ID</u>	<u>Description</u>	<u>DisbName</u>	<u>Net Charges</u>	<u>Status</u>
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Totals For Zavala Laura:

26.09

Grand Total:

335.67